

EXHIBIT K

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4
5

6 IN RE NATIONAL PRESCRIPTION | Case No. 17-MD-2804
7 OPIATE LITIGATION |
8 APPLIES TO ALL CASES |
9 Hon. Dan A. Polster
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13 - - -
14 Friday, November 16, 2018
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18 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
19 CONFIDENTIALITY REVIEW
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24 Videotaped deposition of CHAD DUCOTE, held
25 at the offices of Mitchell Williams,
 4206 South J.B. Hunt Drive, Suite 200, Rogers,
 Arkansas, commencing at 8:04 a.m., on the above
 date, before Susan D. Wasilewski, Registered
 Professional Reporter, Certified Realtime
 Reporter and Certified Realtime Captioner.

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27 GOLKOW LITIGATION SERVICES
28 877.370.3377 ph | 917.591.5672 fax
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30

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2 THE VIDEOGRAPHER: We are now on the record.

3 My name is Dan Lawlor. I'm a videographer of
4 Golkow Litigation Services.

5 Today's date is November 16, 2018, and the
6 time is 8:04 a.m.

7 This video deposition is being held in
8 Rogers, Arkansas, in the matter of National
9 Prescription Opiate Litigation, MDL Number 2804.
10 The deponent is Chad Ducote.

11 Counsel will be noted on the stenographic
12 record.

13 The court reporter is Susan Wasilewski and
14 will now swear in the witness.

15 THE COURT REPORTER: Sir, would you raise
16 your right hand.

17 Do you solemnly swear or affirm the
18 testimony you're about to give will be the truth,
19 the whole truth, and nothing but the truth?

20 THE WITNESS: Yes.

21 THE COURT REPORTER: Thank you.

22 CHAD DUCOTE, called as a witness by the
23 Plaintiffs, having been duly sworn, testified as
24 follows:
25

1 DIRECT EXAMINATION

2 BY MR. INNES:

3 Q. Good morning, Mr. Ducote. My name is
4 Michael Innes. I represent the plaintiffs in this
5 case. Thank you for being here today. Thank you
6 for starting a little bit earlier than usual. I do
7 appreciate that.

8 Could you state your full name for the
9 record.

10 A. Full name is Chad Edward Ducote.

11 Q. What is your current occupation?

12 A. Current occupation is Division Vice
13 President for Supply Chain.

14 Q. And for what company?

15 A. Walmart.

16 Q. Thank you.

17 You understand that you're under oath,
18 right?

19 A. Yes.

20 Q. And are you taking any medication or is
21 there any other reason that would interfere with
22 your ability to answer my questions fully and
23 truthfully today?

24 A. No.

25 Q. Some basic ground rules -- well, let me

1 A. That, I do not recall exactly.

2 Q. Do you recall sitting in a classroom for
3 that class?

4 A. I don't recall. I do -- if I -- it most
5 likely was online for that course. I just don't
6 recall exactly.

7 Q. What grade did you get in that class?

8 A. An A. I do recall that.

9 Q. That's good. You don't recall going to
10 class, but you got an A. I wish I could have done
11 that.

12 A. I just recall. I think I've made As in all
13 the courses.

14 MS. FUMERTON: Easy answer, then.

15 BY MR. INNES:

16 Q. Let's continue right up the page here.

17 A. Okay.

18 Q. You were a pharmacy intern, cashier, cart
19 pusher, sales associate, unloader from February '92
20 to December '97.

21 Was that at Walmart?

22 A. Yes.

23 Q. You then went to be a pharmacist or pharmacy
24 manager from '97 -- December '97 to June 1999, also
25 at Walmart?

1 A. Yes.

2 Q. You then rose to the level of manager of
3 pharmacy recruiting June 1999 to August 2002, also
4 at Walmart?

5 A. Yes.

6 Q. You then moved to divisional compliance
7 director, also at Walmart, in August 2004?

8 A. You skipped one role, but yes.

9 Q. I'm sorry. I did.

10 You were the director of training and
11 development, also at Walmart, from August 2002 to
12 August 2004?

13 A. Yes.

14 Q. Thank you for correcting me on that.

15 Then you became a divisional compliance
16 director from August 2004, for about 18 years, to
17 July 2010; is that right?

18 MS. FUMERTON: No. Objection; form and to
19 the math, I guess.

20 BY MR. INNES:

21 Q. I'm just reading the document.

22 MS. FUMERTON: I think that this can be
23 easily clarified.

24 A. Yes, that's -- I was going to clarify. It
25 was six years. The LinkedIn profile did some odd

1 math on that.

2 Q. To be clear, divisional compliance officer
3 at Walmart from July 2004 to July 2010?

4 A. Yes.

5 Q. And what were your duties as a divisional
6 compliance director?

7 A. In that role, I was responsible for
8 Louisiana, Mississippi, and Tennessee, that
9 territory, and it was operational compliance, which
10 is really more some auditing functions.

11 Q. What do you mean by auditing functions?

12 A. We would look at things such as food safety
13 to make sure that our stores -- we -- our stores
14 have a great deal of -- great deal of different
15 types of products that we prepare, so we would go in
16 to make sure they were properly preparing food
17 products, things of that nature.

18 Q. So in that role did you deal with
19 pharmaceuticals?

20 A. There was a time where we did.

21 Q. And within that time did you deal with
22 Schedule II narcotics?

23 MS. FUMERTON: Objection; form.

24 A. Not specifically with Schedule II narcotics.

25 Q. Did you do -- did you deal with Schedule III

1 A. No, I wouldn't say -- maybe I misstated
2 that. I wouldn't say my primary focus was food
3 safety. That's the topic that seemed to come up a
4 great deal.

5 Q. Schedule II narcotics did not come up as a
6 topic?

7 MS. FUMERTON: Objection; form.

8 A. Yes, it did.

9 Q. In what context?

10 A. Recordkeeping.

11 Q. Did Schedule III come up?

12 A. Yes, recordkeeping again.

13 Q. Following your divisional compliance
14 director position, you moved to the Walmart --
15 general manager at a Walmart Distribution Center in
16 Opelousas?

17 A. Opelousas.

18 Q. Opelousas, Louisiana?

19 A. Yes.

20 Q. And you served in that role from July 2010
21 to July 2014?

22 A. Yes, that's correct.

23 Q. And what were your duties as the general
24 manager of that distribution center?

25 A. The primary duties was supervision of

1 MS. FUMERTON: Objection; form.

2 A. Not that I'm aware of.

3 Q. Do you have any knowledge of any enforcement
4 actions regarding firearms at that distribution
5 facility?

6 A. No.

7 MS. FUMERTON: Just give me one second to
8 object. Just a reminder.

9 THE WITNESS: Sorry.

10 BY MR. INNES:

11 Q. Following your general manager position, you
12 moved to Senior Director II, Pharmacy Supply Chain;
13 is that correct?

14 A. Yes.

15 Q. And you held that position from August 2014
16 to June 2017; is that correct?

17 A. Yes.

18 Q. And that was in -- it's in Bentonville,
19 Arkansas?

20 A. Yes.

21 Q. So you relocated from Opelousas, Louisiana,
22 to Bentonville?

23 A. Yes, I did.

24 Q. I'm going to pass over that one right now.
25 We're going to spend a lot of time on that

1 Q. It did. I'll ask you to turn to the third
2 page of this document. You've had a chance to
3 review that; is that correct?

4 A. Yes.

5 Q. I don't know if we have a bad copy on that
6 as well, but that is document ending in 22384.

7 Are you familiar with this document?

8 A. Yes.

9 Q. You've seen it before?

10 A. Yes.

11 Q. Can you explain to me what this represents?

12 A. What this represents is VAWD, verified
13 accredited wholesale distributor, was doing -- there
14 were certain policies and procedures that they
15 recommended that were put in place based on their
16 review, and this was an output of that process.

17 Q. You referred to the VAWD. Could you --

18 A. Verified accredited wholesale distributor.

19 Q. And it was important -- well, and the VAWD,
20 did they confer accreditations on distributors?

21 A. I'm not sure from the legal sense exactly
22 how that plays out, but they do give accreditation.

23 Q. Did Walmart apply for accreditation?

24 A. Yes.

25 Q. Was it important that Walmart got that